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10/676,219	10/01/2003	Sankar Ram Sundaresan	200208015-1	9689

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EXAMINER	
GILLIS, BRIAN J	
ART UNIT	PAPER NUMBER
2141	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/676,219	SUNDARESAN ET AL.	
	Examiner	Art Unit	
	Brian J. Gillis	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 August 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-13,15-21 and 23-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-13,15-21 and 23-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The claimed "tangible machine-readable medium" in claims 25-29 lacks antecedent basis in the specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 25 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 25 recites the limitation "the transaction tracking logic" in lines 11-12. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-4, 6-12, 14-20, and 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oulu et al (US PGPUB US2004/0068560) in view of Wilson et al (US Patent #6,714,976).

Claim 1 discloses a system comprising presentation architecture for creating applications, the presentation architecture comprising: a controller generator that is adapted to provide an application with a controller that receives a request to perform a transaction and completes the transaction in part, by responding to the request; and transaction tracking logic that is adapted to provide the application with a plurality of transaction managers, each transaction manager being adapted to record tracking information about transactions of a specific type, wherein the transaction tracking logic is adapted to provide the application with an ability to interface with a logging program to log data collected by the plurality of transaction managers. Oulu et al teaches an application receives a request and responds to the request (paragraph 34), a probe tracks data (paragraph 35), and the probe reports the measurements to a database to be logged (paragraph 38). It fails to teach of transaction tracking logic that is adapted to provide the application with a plurality of transaction managers, each transaction manager being adapted to record tracking information about transactions of a specific

type. Wilson et al teaches multiple agents monitor multiple types of activity (column 5, lines 26-55).

Oulu et al and Wilson et al are analogous art because they are both related to monitoring applications over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the monitoring agents in Wilson et al with the system in Oulu et al because constant polling by the console when monitoring is avoided (Wilson, column 5, lines 26-46).

Claim 2 discloses the system set forth in claim 1, wherein the plurality of transaction managers comprises a business activity manager. Wilson et al further teaches business activity is monitored (column 5, lines 26-46).

Claim 3 discloses the system set forth in claim 1, wherein the plurality of transaction managers comprises a performance activity manager. Oulu et al further teaches performance metrics are monitored (paragraph 35).

Claim 4 discloses the system set forth in claim 1, wherein the plurality of transaction managers comprises an error activity manager. Wilson et al further teaches event notifications or errors are monitored (column 5, lines 26-46).

Claim 7 discloses the system set forth in claim 1, wherein the transaction tracking logic is adapted to provide the application with an ability to output data to at least one of a file system, a database, publishing a messaging queue and a Simple Network Management Protocol ("SNMP")-based monitoring program. Oulu et al further teaches the data is sent to a database (paragraph 38).

Claim 8 discloses the system set forth in claim 1, wherein the tracking information comprises timing measurements with respect to the transaction. Oulu et al further teaches timing measurements are taken (paragraphs 35 and 36).

Claim 9 discloses a method of creating applications, the method comprising: creating, with a processor-based device, a controller that receives a request to perform a transaction and completes the transaction by responding to the request; and providing a plurality of transaction managers, each transaction manager being adapted to record tracking information about transactions of a specific type, wherein the applications have an ability to interface with a logging program to log data collected by the plurality of transaction managers. Oulu et al teaches an application receives a request and responds to the request (paragraph 34), a probe tracks data (paragraph 35), and the probe reports the measurements to a database to be logged (paragraph 38). It fails to teach of providing a plurality of transaction managers, each transaction manager being adapted to record tracking information about transactions of a specific type. Wilson et al teaches multiple agents monitor multiple types of activity (column 5, lines 26-55).

Oulu et al and Wilson et al are analogous art because they are both related to monitoring applications over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the monitoring agents in Wilson et al with the system in Oulu et al because constant polling by the console when monitoring is avoided (Wilson, column 5, lines 26-46).

Claim 10 discloses the method set forth in claim 9, comprising defining one of the plurality of transaction managers to be a business activity manager. Wilson et al further teaches business activity is monitored (column 5, lines 26-46).

Claim 11 discloses the method set forth in claim 9, comprising defining one of the plurality of transaction managers to be a performance activity manager. Oulu et al further teaches performance metrics are monitored (paragraph 35).

Claim 12 discloses the method set forth in claim 9, comprising defining one of the plurality of transaction managers to be an error activity manager. Wilson et al further teaches event notifications or errors are monitored (column 5, lines 26-46).

Claim 15 discloses the method set forth in claim 9, comprising providing the applications with an ability to output data to at least one of a file system, a database, publishing a messaging queue and a Simple Network Management Protocol ("SNMP")-based monitoring program. Oulu et al further teaches the data is sent to a database (paragraph 38).

Claim 16 discloses the method set forth in claim 9, comprising defining the tracking information to comprise timing measurements with respect to the transaction. Oulu et al further teaches timing measurements are taken (paragraphs 35 and 36).

Claim 17 discloses a system for creating applications, the system comprising: means for providing an application with a controller that receives a request to perform a transaction and completes the transaction by responding to the request; and means for providing the application with a plurality of transaction managers, each transaction manager being adapted to record tracking information about transactions of a specific

type, wherein the applications have an ability to interface with a logging program to log data collected by the plurality of transaction managers. Oulu et al teaches an application receives a request and responds to the request (paragraph 34), a probe tracks data (paragraph 35), and the probe reports the measurements to a database to be logged (paragraph 38). It fails to teach of providing the application with a plurality of transaction managers, each transaction manager being adapted to record tracking information about transactions of a specific type. Wilson et al teaches multiple agents monitor multiple types of activity (column 5, lines 26-55).

Oulu et al and Wilson et al are analogous art because they are both related to monitoring applications over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the monitoring agents in Wilson et al with the system in Oulu et al because constant polling by the console when monitoring is avoided (Wilson, column 5, lines 26-46).

Claim 18 discloses the system set forth in claim 17, wherein the plurality of transaction managers comprises a business activity manager. Wilson et al further teaches business activity is monitored (column 5, lines 26-46).

Claim 19 discloses the system set forth in claim 17, wherein the plurality of transaction managers comprises a performance activity manager. Oulu et al further teaches performance metrics are monitored (paragraph 35).

Claim 20 discloses the system set forth in claim 17, wherein the plurality of transaction managers comprises an error activity manager. Wilson et al further teaches event notifications or errors are monitored (column 5, lines 26-46).

Claim 23 discloses the system set forth in claim 17, comprising transaction tracking logic adapted to provide the applications with an ability to output data to at least one of a file system, a database, publishing a messaging queue and a Simple Network Management Protocol ("SNMP")-based monitoring program. Oulu et al further teaches the data is sent to a database (paragraph 38).

Claim 24 discloses the system set forth in claim 17, wherein the tracking information comprises timing measurements with respect to the transaction. Oulu et al further teaches timing measurements are taken (paragraphs 35 and 36).

Claim 25 discloses a tangible machine-readable medium, comprising: a controller generator code adapted to provide an application with a controller that receives a request to perform a transaction and completes the transaction by responding to the request; and transaction tracking code adapted to provide the application with a plurality of transaction managers, each transaction manager being adapted to record tracking information about transactions of a specific type, wherein the transaction tracking logic is adapted to provide the application with an ability to interface with a logging program to log data collected by the plurality of transaction managers. Oulu et al teaches using computer-readable medium (paragraph 22), an application receives a request and responds to the request (paragraph 34), a probe tracks data (paragraph 35), and the probe reports the measurements to a database to be logged (paragraph 38). It fails to

teach of transaction tracking logic that is adapted to provide the application with a plurality of transaction managers, each transaction manager being adapted to record tracking information about transactions of a specific type. Wilson et al teaches multiple agents monitor multiple types of activity (column 5, lines 26-55).

Oulu et al and Wilson et al are analogous art because they are both related to monitoring applications over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the monitoring agents in Wilson et al with the system in Oulu et al because constant polling by the console when monitoring is avoided (Wilson, column 5, lines 26-46).

Claim 26 discloses the tangible machine-readable medium set forth in claim 25, wherein the plurality of transaction managers comprises a business activity manager. Wilson et al further teaches business activity is monitored (column 5, lines 26-46).

Claim 27 discloses the tangible machine-readable medium set forth in claim 25, wherein the plurality of transaction managers comprises a performance activity manager. Oulu et al further teaches performance metrics are monitored (paragraph 35).

Claim 28 discloses the tangible machine-readable medium set forth in claim 25, wherein the plurality of transaction managers comprises an error activity manager. Wilson et al further teaches event notifications or errors are monitored (column 5, lines 26-46).

Claims 5, 13, 21, and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oulu et al (US PGPUB US2004/0068560) in view of Wilson et al (US Patent #6,714,976) as applied to claims 1, 9, 17, and 25 above, and further in view of Tugenberg et al (US Patent #7,103,782).

Claim 5 discloses the system set forth in claim 1, wherein the transaction tracking logic is adapted to provide the application with an ability to track debug activity. Oulu et al in view of Wilson et al teaches of the limitations of claim 1 as recited above. It fails to teach of the transaction tracking logic is adapted to provide the application with the ability to track debug activity. Tugenberg et al teaches monitoring debugging activity (column 3, line 62 – column 4, line 13).

Oulu et al in view of Wilson et al and Tugenberg et al are analogous art because they are both related to monitoring data.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the debugging monitoring in Tugenberg et al with the system in Oulu et al in view of Wilson et al because unauthorized conditions are able to be detected (Tugenberg, column 3, line 62 – column 4, line 13).

Claim 13 discloses the method set forth in claim 9, comprising providing the applications with an ability to track debug activity. Oulu et al in view of Wilson et al teaches of the limitations of claim 9 as recited above. It fails to teach of providing the application with the ability to track debug activity. Tugenberg et al teaches monitoring debugging activity (column 3, line 62 – column 4, line 13).

Oulu et al in view of Wilson et al and Tugenberg et al are analogous art because they are both related to monitoring data.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the debugging monitoring in Tugenberg et al with the system in Oulu et al in view of Wilson et al because unauthorized conditions are able to be detected (Tugenberg, column 3, line 62 – column 4, line 13).

Claim 21 discloses the system set forth in claim 17, wherein the means for providing the application with a plurality of transaction managers is adapted to provide the application with an ability to track debug activity. Oulu et al in view of Wilson et al teaches of the limitations of claim 17 as recited above. It fails to teach of providing the application with the ability to track debug activity. Tugenberg et al teaches monitoring debugging activity (column 3, line 62 – column 4, line 13).

Oulu et al in view of Wilson et al and Tugenberg et al are analogous art because they are both related to monitoring data.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the debugging monitoring in Tugenberg et al with the system in Oulu et al in view of Wilson et al because unauthorized conditions are able to be detected (Tugenberg, column 3, line 62 – column 4, line 13).

Claim 29 discloses the tangible machine-readable medium set forth in claim 25, wherein the transaction tracking logic is adapted to provide the application with an ability to track debug activity. Oulu et al in view of Wilson et al teaches of the limitations of claim 25 as recited above. It fails to teach of providing the application with the ability

to track debug activity. Tugenberg et al teaches monitoring debugging activity (column 3, line 62 – column 4, line 13).

Oulu et al in view of Wilson et al and Tugenberg et al are analogous art because they are both related to monitoring data.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the debugging monitoring in Tugenberg et al with the system in Oulu et al in view of Wilson et al because unauthorized conditions are able to be detected (Tugenberg, column 3, line 62 – column 4, line 13).

Response to Arguments

Applicant's arguments filed August 15, 2007 have been fully considered but they are not persuasive.

Applicant asserts the prior art fails to teach the transaction tracking logic is adapted to provide the application with an ability to interface with a logging program to log data collected by the plurality of transaction managers. The Examiner respectfully disagrees, Oulu et al teaches a probe is able to interface with a database to report various measurements in association with particular transactions (Oulu et al, paragraph 38).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Gillis whose telephone number is 571-272-7952. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Brian J Gillis
Examiner
Art Unit 2141

BJG
10/23/2007

JASON CARDONE
SUPERVISORY PATENT EXAMINER